



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

September 28, 2015
Certified Mail/Return
7012 3460 0003 1113 0321

Sutter Community Services District
P.O. Box 710
Sutter, CA 95982

Attention: Geri Goetzinger, Manager

RE: Sutter CSD, Public Water System No. 5110007 – Citation No. 21-15C-033 for Exceedance of the Arsenic Maximum Contaminant Level.

Enclosed is a Citation issued to the Sutter CSD water system (System). The Citation is being issued because the System failed to achieve the drinking water standard for arsenic between December 2014 and September 2015 at Well 2B. Please read this Citation carefully. Public notification is required to inform consumers that the standard was not achieved.

Note that Section 116577 of the California Safe Drinking Water Act provides for the Division to be reimbursed by the public water system for costs incurred for preparing and issuing a Citation. In accordance with Section 116577, Sutter CSD will be billed approximately one hour for the preparation and issuance of this Citation.

If you have any questions regarding this matter, please call Paul Rowe at (530) 224-4866 or me at (530) 224-4861.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Crenshaw".

Reese B. Crenshaw, P.E.
Valley District Engineer
Drinking Water Field Operations Branch

Enclosures

1 **CITATION NO. 21-15C-033**

2
3 **STATE OF CALIFORNIA**
4
5 **STATE WATER RESOURCES CONTROL BOARD**
6
7 **DIVISION OF DRINKING WATER**
8
9

10 **Public Water System:** Sutter Community Services District

11 **Water System No.:** 5110007
12

13 **TO:** Sutter CSD
14 Attn: Geri Goetzinger, Manager
15 P.O. Box 710
16 Sutter, CA 95982
17

18 **Issued:** September 28, 2015
19
20

21 **CITATION FOR NONCOMPLIANCE OF THE ARSENIC MAXIMUM**
22 **CONTAMINANT LEVEL**
23

24 Section 116655 of Chapter 4 of Part 12 of Division 104 of the California Health and
25 Safety Code (H&S Code) authorizes the issuance of a compliance order for failure to
26 comply with a requirement of the California Safe Drinking Water Act or any
27 regulation, standard, permit, or order issued thereunder.

28 The State Water Resources Control Board (hereinafter "State Board"), acting by and
29 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director

for the Division, hereby issues this compliance order (hereinafter "Order") pursuant to Section 116650 of the California Health and Safety Code (hereinafter "CHSC") to Sutter CSD for violation of CHSC section 116655(a)(1,3) and Title 22, California Code of Regulations (hereinafter "CCR"), Section 64431.

APPLICABLE AUTHORITIES

Section 116555 of the CHSC (Operational Requirements) states in relevant part:

(a) Any person who owns a public water system shall ensure that the system does all of the following:

(1) Complies with primary and secondary drinking water standards.

(3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.

Section 116650 of the CHSC (Citations) states in relevant part:

(a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

Section 64431 of the CCR, Title 22, (Maximum Contaminant Levels – Inorganic Chemicals) states in relevant part:

Public water systems shall comply with the primary MCLs in table 64431-A as specified in this article.

**Table 64431-A
Maximum Contaminant Levels (MCLs)
Inorganic Chemicals**

Chemical	MCLs (mg/L)
Aluminum	1.
Antimony	0.006
Arsenic	0.010
Asbestos	7 MFL*
Barium	1.
Beryllium	0.004

Chemical	MCLs (mg/L)
Cadmium	0.005
Chromium	0.05
Cyanide	0.15
Fluoride	2.0
Hexavalent chromium	0.010
Mercury	0.002
Nickel	0.10
Nitrate (as nitrogen)	10.
Nitrate+Nitrite (sum as nitrogen)	10.
Nitrite (as nitrogen)	1.
Perchlorate	0.006
Selenium	0.05
Thallium	0.002

* MFL=million fibers per liter; MCL for fibers exceeding 10 um in length.

Section 64432 of the CCR, Title 22, (Monitoring and Compliance – Inorganic Chemicals) states in relevant part:

(g) If the level of any inorganic chemical, except for nitrate, nitrite, nitrate plus nitrite, or perchlorate, exceeds the MCL, the water supplier shall do one of the following:

(1) Inform the State Board within 48 hours and monitor quarterly beginning in the next quarter after the exceedance occurred; or

(2) Inform the State Board within seven days from the receipt of the analysis and, as confirmation, collect one additional sample within 14 days from receipt of the analysis. If the average of the two samples collected exceeds the MCL, this information shall be reported to the Department within 48 hours and the water supplier shall monitor quarterly beginning in the next quarter after the exceedance occurred.

1 (h) If the concentration of an inorganic chemical exceeds ten times the
2 MCL, within 48 hours of receipt of the result the water supplier
3 shall notify the State Board and resample as confirmation. The
4 water supplier shall notify the State Board of the result(s) of the
5 confirmation sample(s) within 24 hours of receipt of the
6 confirmation result(s).

7 (1) If the average concentration of the original and confirmation
8 sample(s) is less than or equal to ten times the MCL, the
9 water supplier shall monitor quarterly beginning in the
10 quarter following the quarter in which the exceedance
11 occurred.

12 (2) If the average concentration of the original and confirmation
13 sample(s) exceeds ten times the MCL, the water supplier
14 shall, if directed by the State Board;

15 (A) Immediately discontinue use of the contaminated
16 water source; and

17 (B) Not return the source to service without written
18 approval from the State Board.

19
20 (i) Compliance with the MCLs shall be determined by a running
21 annual average; if any one sample would cause the annual
22 average to exceed the MCL, the system is immediately in violation.
23 If a system takes more than one sample in a quarter, the average
24 of all the results for that quarter shall be used when calculating the
25 running annual average. If a system fails to complete four
26 consecutive quarters of monitoring, the running annual average
27 shall be based on an average of the available data.

Section 64414 of the CCR, Title 22, (Standby Sources) states in relevant part:

(a) A source which has been designated "standby" shall be monitored a minimum of once every compliance cycle for all inorganic, organic, and radiological MCLs, unless a waiver has been granted by the State Board pursuant to Section 64432(m) or (n) for inorganics, Section 64432.2(c) for asbestos, or Section 64445(d) for organics.

(c) A standby source shall be used only for short-term emergencies of five consecutive days or less, and for less than a total of fifteen calendar days.

(d) Within 3 days after the short-term emergency use of a standby source, the water supplier shall notify the State Board. The notification shall include information on the reason and duration of the use.

(e) The status of a designated standby source shall not be changed to that of a regular source of drinking water supply, unless the source meets all existing drinking water standards and approval is obtained from the State Board in advance.

STATEMENT OF FACTS

The Sutter CSD water system (hereinafter, "System") is a community water system located in Sutter County that supplies water to approximately 2,904 people for domestic purposes. The System operates Wells 1, 3, and 2B for the domestic water supply.

Beginning with the fourth quarter of 2014 until the third quarter of 2015, arsenic levels in Well 2B have averaged (Running Annual Average (RAA)) 11.5 micrograms per liter (ug/L). Quarterly results are show in the table below.

Sample Quarter	Well 2B
4 th Quarter of 2014	12.0 ug/L
1 st Quarter of 2015	11.0 ug/L
2 nd Quarter of 2015	11.0 ug/L
3 rd Quarter of 2015	12.0 ug/L
RAA	11.5 ug/L

Per Section 64431 of the CCR, public water systems must comply with the maximum contaminant level for arsenic of 0.010 milligrams per liter (mg/L) or 10 ug/L.

DETERMINATIONS

Based on the above Statement of Facts, The Division has determined that the System violates Section 116555 of the CHSC, and Sections 64431 and 64432 of the CCR; in that the water produced by the System's Well 2B exceeds the arsenic MCL.

DIRECTIVES

The System is hereby directed to take the following actions:

- (a) **Within 30 days** of the issuance of this Citation, notify all persons served by the System of the MCL violation as required by Section 64463.4 and

1 Section 64465, Title 22, of the CCR. Notification shall be completed in
2 accordance with the following:

3 (A) Mail or direct delivery to each customer.

4
5 (b) Changes and/or modifications to Attachment 'A' shall be not made unless
6 approved by the Division.

7
8 (c) Complete and return Attachment 'B' "Certification of Completion of Public
9 Notification" form **within 10 days** of giving public notice. A copy of the
10 notice used to provide public notification shall be attached to the form.

11
12 (d) Per the Well 2B activity status change stated in the attached letter from
13 the System, operate Well 2B pursuant to standby source requirements in
14 Section 64414 of the CCR (relevant parts previously mentioned).

15
16 The completed and signed copy of Attachment 'B' shall be submitted to the following
17 address:

18
19 Reese B. Crenshaw, P. E.
20 Valley District Engineer
21 Drinking Water Field Operations
22 Division of Drinking Water
23 State Water Resources Control Board
24 364 Knollcrest Drive, Suite 101
25 Redding, CA 96002
26 (530) 224-4800
27

1 Nothing in this Citation relieves the System of its obligation to meet the requirements
2 of Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe
3 Drinking Water Act), or any regulation, permit, standard or order issued or adopted
4 thereunder.

5
6 The Division reserves the right to make such modifications to this Citation, as it may
7 deem necessary to protect public health and safety. Such modifications may be
8 issued as amendments to this Citation and shall be effective upon issuance.

9
10 **FURTHER ENFORCEMENT ACTION**

11 The California SDWA authorizes the State Board to: issue citation with assessment
12 of administrative penalties to a public water system for violation or continued
13 violation of the requirements of the California SDWA or any regulation, permit,
14 standard, citation, or order issued or adopted thereunder including, but not limited to,
15 failure to correct a violation identified in a citation or compliance order.

16 The California SDWA also authorizes the State Board to take action to suspend or
17 revoke a permit that has been issued to a public water system if the system has
18 violated applicable law or regulations or has failed to comply with an order of the
19 State Board; and to petition the superior court to take various enforcement measures
20 against a public water system that has failed to comply with or violates an order of
21 the State Board. The State Board does not waive any further enforcement action by
22 issuance of this citation.

23
24 **PARTIES BOUND**

25 This Citation shall apply to and be binding upon the System, its officers, directors,
26 agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this Citation are severable, and System shall comply with each and every provision thereof notwithstanding the effectiveness of any other provision.

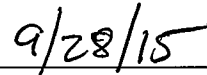


Reese B. Crenshaw, P. E.

Valley District Engineer

Drinking Water Field Operations Branch

State Water Resources Control Board



Date



Enclosures: Attachment "A": Public Notification Template

Attachment "B": Proof of Public Notification Form

September 21, 2015 Letter from Sutter CSD



SUTTER COMMUNITY SERVICES DISTRICT

1880 ACACIA AVENUE
P.O. BOX 710
SUTTER, CALIFORNIA 95982-0710

(530) 755-1733
FAX (530) 755-1777

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

Sutter CSD's Well 2B Has Levels of Arsenic Above the Drinking Water Standard

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Water sample results received on September 20, 2015 showed arsenic levels of 0.012. This is above the standard, or maximum contaminant level (MCL), of 0.010 milligrams per liter.

What should I do?

- **You do not need to use an alternative water supply (e.g., bottled water).**
- **This is not an emergency.** If it had been, you would have been notified immediately. However, *some people who drink water containing arsenic in excess of the MCL over many years may experience skin damage or circulatory system problems, and may have an increased risk to getting cancer.*
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

Well 2-B has been shut down and will not be used to supply water to the community. We anticipate resolving the problem within a year.

For more information, please contact Geri Goetzinger at 530-755-1733 or P.O. box 710, Sutter, CA 95982.

Attachment A

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).
- **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including nursing homes and care facilities): Must notify tenants.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees of businesses located on the property.

This notice is being sent to you by **Sutter Community Services District**.

State Water System ID#: **5110007** Date distributed:

CERTIFICATION OF COMPLETION OF PUBLIC NOTIFICATION

This form, when completed and returned to the Division of Drinking Water (364 Knollcrest Drive, Suite 101, Redding, CA 96002 or fax to 530-224-4800), serves as certification that public notification to water users was completed as required by the California Water Quality and Monitoring Regulations. Completing public notification and providing the Division with certification is important. Failure to do so will result in additional hourly time charges to your water utility and will result in a formal enforcement action with monetary penalties.

Public Water System Name Sutter Community Services District

Public Water System No. 5100109

Public notification for the Arsenic MCL exceedance in Well 2B was performed by the following method(s):

_____ Mail, email, or hand delivery to customers (Please indicate the date(s) the notice was delivered: _____, 2015)

I hereby certify that the above information is factual.

Printed Name _____

Signature _____

Date _____



SUTTER COMMUNITY SERVICES DISTRICT

1880 ACACIA AVENUE
P.O. BOX 710
SUTTER, CALIFORNIA 95982-0710

(530) 755-1733
FAX (530) 755-1777

September 21, 2015

Mr. Reese Crenshaw
Senior Sanitary Engineer
State Water Resources Control Board
Division of Drinking Water

RE: Well 2-B Average Arsenic 12 PPB

Dear Mr. Crenshaw,

Due to the Levels of Arsenic above the Drinking Water Standard at our well #2B, Sutter Community Services District effective this date September 21, 2015 has put Well #2B on standby. We will be looking into modifying this well so that we can bring it to standard levels. We ask for your approval and withdrawal of the Public Notification.

Sincerely,

Geri Goetzinger
General Manager
Sutter CSD
System No. 5110007